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**AUG 31 2004**

**OFFICE OF PETITIONS**

In re Application of :  
Curtis Priem, Gopal Solanki, and David Kirk :  
Application No. 09/056,656 :  
Filed: April 7, 1998 :  
Attorney Docket No. NV30 :  
Title: TEXTURE CACHE FOR A :  
COMPUTER GRAPHICS ACCELERATOR :

DECISION ON RENEWED PETITION  
UNDER 37 C.F.R. §1.182

This is in response to the renewed petition filed July 14, 2004, under 37 C.F.R. §1.182, requesting that a declaration of facts under 37 C.F.R. §1.131 be accepted without the signature of one of the three affiants<sup>1</sup>.

On July 2, 2003, the Office issued a non-final rejection. Petitioner wishes to submit an affidavit/declaration of facts to swear behind the rejection and establish prior invention.

Unfortunately, the assignee, Nvidia Corporation, has determined that joint inventor Priem is unwilling to execute the §1.131 declaration. Therefore, the granting of a petition under 37 C.F.R. §1.182 is required before the affidavit is accepted, since less than all of the named affiants will be signing the document.

The original petition was submitted on December 30, 2003, and was dismissed via the mailing of a decision on May 14, 2004, for failure to establish that a complete copy of the application was sent to the non-signing inventor.

With the instant petition, evidence has been submitted which establishes that a complete copy of the application was provided to the non-signing inventor.

<sup>1</sup> The three affiants are the three joint inventors, and it is alleged that the first named inventor has refused to sign the §1.131 declaration.

As such, the renewed petition under 37 C.F.R. §1.182 is **GRANTED**.

The declaration of facts under 37 C.F.R. §1.131 will be entered, and after the mailing of this decision, the application will be forwarded to Technology Center 2600 for consideration of the same.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0011. Please note that on approximately September 28, 2004, the Office of Petitions will relocate to the new PTO location in Alexandria. Although the mailing address will remain the same, the general phone number for the Office of Petitions which should be used for status requests will change to 571-272-3282, and the telephone number for the undersigned will change to 571-272-3225.



**Paul Shanowski**  
**Senior Attorney**  
**Office of Petitions**  
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